

AVERY LANDING FILE FOLDER TITLED, "AVERY LANDING - CORRESPONDENCE ONLY - 1987-89

9/17/87 Authority to enter into a cooperative agreement with EPA re UST's

3/10/88 Ltr from Pot to DEQ stating that after Pot learned of the contamination, they took samples. They propose digging trenches for further investigation. Attached notes to this ltr say that the tank on the hill was known to leak and that it contained #6 fuel oil.

3/16/88 Ltr from DEQ to Pot asking for more info re Pot's 3/10/88 proposal for site investigation

4/28/88 Ltr from DEQ to Pot, making a second request for site plans and trench locations, in an effort to determine extent of contamination at site

5/16/88 Ltr from the Governor's office to A. Hansen re clean up along the tracks

5/23/88 Ltr from Governor's office in Montana to A. Hansen re the Milwaukee right-of-way and who should clean up the litter strewn along it

5/27/88 Ltr from ITD to the Governor's office re ltrs from Arther Hanson concerning the old Milwaukee right-of-way

5/27/88 Ltr from Montana to Hansen thanking him for some papers and his interest in the Milwaukee rr clean up investigation

6/6/88 Ltr from the Governor's office to Hansen. Spoke of Hansen's ltr of 10/9/87 (which does not appear to be in the file). Ltr is for the purpose of transmitting ITD's report of Milwaukee rr clean up

6/27/88 Ltr from DEQ to Pot discussing ownership of a parcel of land at the site

7/5/88 File note from Breithaupt that mentioned the filling of test pits, among other things (so apparently the testing that was mentioned in the 3/10/88 ltr was done).

7/12/88 File note from Breithaupt, still discussing who legally owns a certain parcel of land at the site

7/18/88 Ltr from Hansen to the Governor. Spoke of a 5/2/88 ltr from Hansen (that does not appear to be in file)

7/22/88 Memo from Baldwin to Breithaupt. Mentions that significant leaks from storage tank apparently occurred. Suggests analyzing for TPH and PAH. Joe says PAH analysis can indicate the presence of phenols, such as pentachlorophenol

8/3/88 File note from Breithaupt discussing the ins and outs of property records

8/3/88 Ltr to Breithaupt from Pot stating that Pot will drill some sampling wells on 8/8/88

8/5/88 Ltr from DEQ to Pot. 2 test pits dug that showed pet cont.; suggested more pits be dug; stated that wells planned to be drilled on 8/8/88 won't give all the info needed; requesting a study plan and a map

8/9/88 Ltr from Governor's office to Arther Hanson discussing the trash along the Milwaukee rr tracks

8/30/88 Ltr from Pot to DEQ sending copies of well logs and well driller's map

8/88 - 10/88 Notes on search for owners of property in the area

10/28/88 Ltr from DEQ to FHA, letting them know that, as property owners in the Avery Landing area, they should be involved in a coordinated clean up effort

10/28/88 Ltr from DEQ to Harold Theriault "

10/29/88 Ltr from DEQ to Garold Theriault notifying him of a 12/12/88 meeting to discuss clean up

10/29/88 Ltr from DEQ to FHA "

10/29/88 Ltr from DEQ to Pot "

10/29/88 Ltr from DEQ to Shoshone County Public Works Dept "

11/10/88 "Recommended Cleanup Criteria for Sites Contaminated With Petroleum Released From UG Storage Tanks

12/6/88 Memo from Breithaupt to Chertudi describing all the property owners in the area

12/8/88 Memo from Breithaupt to Baldwin outlining what type of clean up levels he feels should be met

12/15/88 Breithaupt's notes including an attendance list of the 12/18/88 meeting

12/15/88 File note from Breithaupt about the 12/15/88

meeting. Financial responsibilities were discussed and the legal basis requiring clean up by current property owners, who did not cause the cont., is to be provided by DEQ (in the future)

1/6/89 Memo from Chertudi to Al Murrey, reviewing the Avery Site and suggesting an AG review of the legalities involved

1/24/89 Memo from Murrey to Fransen requesting a legal review; mentions the possibility of federal funds thru the Coast Guard

2/14/89 Ltr from Pot to DEQ lending their expertise in locating a RP from the rr.

2/26/89 Newspaper article - Fuel tank removed in 1986

2/28/89 Ltr from Arther Hansen to Chertudi mentioning the Avery Landing site but going on to describe the Milwaukee rr mess from Avery to St Regis

3/2/89 Ltr from Hansen to Governor of Montana about cleaning up the Milwaukee rr right-of-way

3/10/89 Memo from Susan Burke to Chertudi giving the legal basis for requiring the clean up of a non-hazardous waste site

3/31/89 Ltr from DEQ to Pot outlining the legal basis for requiring the clean up of a non-hazardous waste site

4/17/89 Ltr from Pot to DEQ acknowledging the receipt of the 3/31/89 ltr and stating that Pot will respond after their own legal council's review

5/5/89 Ltr from Pot's legal council to DEQ requesting a copy of DEQ's AG legal basis review. Also outlines 5 conditions that Pot feels need to be addressed before they submit a plan for clean up

5/23/89 File note from Breithaupt; Burke would like to talk direct to Pot's attorneys to clear up some miscommunications

6/21/89 Ltr from DEQ to FHA confirming a 7/6/89 meeting

6/21/89 Ltr from DEQ to Pot "

6/21/89 Ltr from DEQ to Theriault "

6/21/89 Ltr from DEQ to Shoshone Cty Pub Wks Dept "

6/23/89 Memo from Assistant Regional Counsel to the Division Engineer of the Western Federal Lands Highway Division. Basically states that the State of Idaho cannot enforce a clean up by the FHA by using the Nuisance law.

6/29/89 Ltr from DEQ to Pot, showing an example C O

6/29/89 Letter from Clements, Brown, and McNichols (attorneys for Potlatch) to Susan Burke. States that Potlatch feels the railroad (which has since re-organized and is now known under the name, "CMC Real Estate Corp.") is still responsible for the clean up and thinks the state should go after them first.

7/6/89 List of people who attended the 7/6/89 meeting

7/25/89 Ltr from DEQ to CMC Real Estate Corp. requesting them to clean up Avery Landing

8/4/89 Ltr from CMC to DEQ stating that they are reviewing their position in regard to Avery

8/23/89 Newspaper article stating that CMC is liable for clean up

8/23/89 Ltr from HartCrowser to Potlatch reporting the first two tasks of their contracted project. Task 1 - sample data. Task 2 - how can the waste be disposed - lengthy discussion on the acceptability of burning the waste (must compare this to Gregory's comments)

8/24/89 Newspaper article holding Potlatch liable for clean up

10/27/89 HartCrowser report - second report on projects completed to date, focusing mainly on well installation and more sampling

10/30/89 Ltr from DEQ to CMC stating that we are still waiting to hear what CMC thinks their responsibilities in all this, are

12/8/89 Ltr from State of Idaho, AG's office, to CMC, again requesting a response from CMC re their clean up responsibilities